

Message Text

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TO SECSTATE WASHDC 8988

INFO AMEMBASSY CANBERRA

AMEMBASSY KUALA LUMPUR

AMCONSUL MEDAN

AMCONSUL SURABAYA

CINCPAC

C O N F I D E N T I A L JAKARTA 11669

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PFOR,ID,AS

SUBJECT: INDONESIAN/AUSTRALIAN/PAPUA NEW GUINEA

BORDER DISCUSSIONS

REF : JAKARTA 1856 (NOTAL)

1. SUMMARY. INDONESIAN-AUSTRALIAN/PAPUA NEW GUINEA (PNG) DISCUSSIONS CONCERNING PAPUA NEW GUINEA-IRIAN JAYA BORDER ARRANGEMENTS RESULTED IN A MUTUALLY AGREED "MEMORANDUM OF UNDERSTANDING" WHICH IS BEING FORWARDED TO GOI, GOA AND SOMARE PNG GOVERNMENT FOR FINAL APPROVAL. MEMORANDUM, WHICH IS DRAFTED IN ROAD TERMS, PROVIDES FOR LIAISON AT THREE LEVELS, EASY BORDER CROSSING BY INDIGENOUS PEOPLES, CONTINUATION OF "PERMISSIVE RESIDENCE" IN PNG FOR POLITICAL REFUGEES FROM IRIAN JAYA, AND GENERALIZED COOPERATION BETWEEN SECURITY FORCES ON TWO SIDES BUT WITHOUT MIXED OPERATIONS SUCH AS JOINT PATROLS. INDONESIAN WILLINGNESS TO ACQUIESCE IN GOA/PNG WISHES ON THE LAST TWO POINTS

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MADE EASY FULL AGREEMENT DURING DISCUSSIONS. END SUMMARY

2. IN SEPARATE TALKS OCTOBER 1 WITH FOREIGN DEPARTMENT ASIA-PACIFIC DIRECTORATE CHIEF COL. ADENANA AND AUSTRALIAN FIRST SECRETARY ARRIENS, FOLLOWING INFORMATION EMERGED CONCERNING SEPTEMBER 26-28 INDONESIAN-AUSTRALIAN/PNG DISCUSSIONS ON PAPUA. AUSTRALIAN DELEGATION, HEADED BY SOLICITOR GENERAL ELLICOTT, INCLUDED TWO GOA OFFICIALS WHO LONG ASSOCIATED WITH PNG (CONROY AND SWETLOW) AND THREE JUNIOR OFFICIALS FROM SOMARE'S FLEDGLING FOREIGN OFFICE. ACCORDING TO ARRIENS, THE THREE WERE "VERY IMPRESSIVE, MUCH MORE SO THAN THE PNG FOREIGN OFFICE TRAINEES WHO HAVE BEEN SENT TO WORK IN THE EMBASSY IN JAKARTA." THE INDONESIAN DELEGATION WAS HEADED BY FOREIGN DEPARTMENT ACTING DIRECTOR GENERAL FOR POLITICAL AFFAIRS MRS. WIRJOSAPUTRO (A LAWYER WHO FORMERLY HEADED THE LEGAL DEPARTMENT) WHOM THE AUSTRALIANS FOUND TO BE MOST EFFICIENT AND HELPFUL.

3. AT OUTSET, ARRIENS NOTED THAT, AS PLANNED, THE MEMORANDUM OF UNDERSTANDING WHICH EMERGED IS A GENERAL DOCUMENT DRAFTED IN BROAD TERMS WHICH COULD SERVE AS A BASIS FOR PNG-IRIAN BORDER RELATIONS FOR THE NEXT TWENTY-FIVE YEARS. IT DEALS PRIMARILY WITH LIAISON, CROSS BORDER DOCUMENTATION, APPLICATION OF LOCAL (ADAT) LAW, REFUGEES AND CRIMINALS, AND SECURITY, ESTABLISHING GENERAL PRINCIPLES BUT LEAVING DETAILED ARRANGEMENTS TO THOSE ON THE SCENE.

4. THERE WILL BE, ARRIENS STATED, THREE LEVELS OF LIAISON: AT THE TOP THERE WILL BE GOVERNMENT-TO-GOVERNMENT MEETINGS ONCE EACH YEAR; AT THE MIDDLE LEVEL THERE WILL BE THREE LIAISON POINTS, ONE NEAR JAYAPURA, ONE NEAR MERAUKE AND ONE SOMEWHERE IN THE MIDDLE (NOT CLEAR WHETHER ALL LIAISON WILL BE CONDUCTED ON THE IRIAN JAYA SIDE); AT THE LOWEST LEVEL THERE WILL BE NUMEROUS LIAISON POINTS AT THE KECAMATAN-VILLAGE LEVEL. TO THE EXTENT POSSIBLE THOSE ON THE GROUND WILL BE GIVEN FREEDOM OF ACTION WITHIN THE BROAD GUIDELINES ESTABLISHED BY THE MEMORANDUM.

5. BORDER CROSSING BY INDIGENOUS PEOPLES WHO HAVE TRADITIONALLY MOVED BACK AND FORTH WILL BE FACILITATED, ARRIENS STATED. THE ONLY REQUIREMENT WILL BE SOME SORT OF SIMPLE IDENTIFICATION (NOT YET WORKED OUT).

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6. LOCAL (ADAT) LAW WILL BE APPLIED TO THE EXTENT FEASIBLE ON BOTH SIDES OF THE BORDER. THE MAIN INTENTION OF ALL PARTIES WAS TO UPSET THE EXISTING WAY OF LIFE AS LITTLE AS POSSIBLE, ARRIENS COMMENTED.

7. THE AUSTRALIANS FEARED THAT THE HANDLING OF REFUGEES IN PNG MIGHT PROVE A STICKY POINT SINCE THERE ARE PRESENTLY LIVING IN PNG

94 REFUGEES FROM IRIAN JAYA (500 IF FAMILIES INCLUDED) WHO FOR THE MOST PART FLED AT THE TIME OF OR SHORTLY AFTER THE ACT OF FREE CHOICE. AUSTRALIA/PNG HAS GIVEN THEM "PERMISSIVE RESIDENCE" WITH THE ONLY REQUIREMENT BEING THAT THEY NOT ENGAGE IN ANTI-INDONESIAN POLITICAL ACTIVITY (GOA IS A SIGNATORY OF THE INTERNATIONAL REFUGEE CONVENTION). AUSTRALIA/PNG IS NOT WILLING TO CONSIDER CHANGING THE RULES, AND FUTURE REFUGEES MIGHT BE ACCEPTED IF THE CIRCUMSTANCES WARRANTED. ARRIENS POINTED OUT THAT IT IS NOW THE SOMARE PNG GOVERNMENT WHICH MAKES THE DECISION (WITH CANNBERRA'S ADVICE) AS TO WHO SHALL BE ACCEPTED; SOMARE RECENTLY SENT BACK A MAN WHO FLED FROM IRIAN JAYA WHO WAS BOTH A POLITICAL REFUGEE AND A MURDERER, ONLY REQUIRING-AND GETTING-A GOI (HANKAM) PLEDGE THAT HE WOULD NOT BE EXECUTED. INDONESIAN WILLINGNESS TO ACQUIESCE ON THE REFUGEE ISSUE WAS A MAJOR FACTOR IN SUCCESS OF THE DISCUSSIONS, ARRIENS AND ADENAN BOTH EMPHASIZED. ADENAN (BUT NOT ARRIENS) ALSO NOTED THAT BOTH SIDES HAD AGREED TO EXCHANGE INFORMATION ON WANTED PERSONS.

8. COOPERATION ON BORDER SECURITY IS PROVIDED FOR IN THE MEMORANDUM, MUCH ALONG THE LINES OF WHAT IS TAKING PLACE NOW. GOI WOULD HAVE PREFERRED THE ESTABLISHMENT OF JOINT BORDER PATROLS, AND THE MUTUAL RIGHT OF "HOT PURSUIT," SIMILAR TO THE AGREEMENT WITH MALAYSIA COVERING THE KALIMANTAN-SARAWAK BORDER, BUT ULTIMATELY WENT ALONG WITH THE AUSTRALIAN/PNG DESIRE FOR A LESSER ARRANGEMENT.

9. AS TO LEGALITIES, ARRIENS COMMENTED THAT HAD BOTH SIDES KNOWN HOW SMOOTHLY THE DISCUSSIONS WOULD GO, THEY WOULD HAVE ARRANGED TO INITIAL THE AGREEMENT AT THE END OF THE SESSION. AS IT IS, WITH PNG INDEPENDENCE EXPECTED IN 1974, THE GOI, GOA AND SOMARE PNG GOVERNMENTS WILL BE ASKED TO GIVE THEIR APPROVAL TO THE MEMORANDUM OF UNDERSTANDING (ARRIENS AND ADENAN EXPECTED NO HITCHES) WHICH WILL THEN AWAIT PNG INDEPENDENCE FOR FINAL SIGNATURE BY THE INDONESIAN AND PNG GOVERNMENTS.

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10. COMMENT: GOI WILLINGNESS TO ACCOMMODATE AUSTRALIAN/PNG POSITIONS IN TWO AREAS WHERE INDONESIAN DESIRES AT VARIANCE REINFORCES IMPRESSION GIVEN AT TIME OF BORDER AGREEMENT (REFTEL) THAT GOI IS ANXIOUS TO ACHIEVE AGREEMENT IN AS MANY AREAS AS POSSIBLE BEFORE PNG INDEPENDENCE. THIS DESPITE, OR BECAUSE OF, THE FACT (MENTIONED BY BOTH ADENANA AND ARRIENS) THAT GOI IS NOT AS CERTAIN AS IT WISHES IT WERE THAT PNG WILL HOLD TOGETHER AFTER INDEPENDENCE. GALBRAITH

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